

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
W.R. GRACE & CO., *et al.*,) Case No. 01-1139 (JKF)
) Jointly Administered RE: 14241 + 14240
Debtors.)

**MOTION TO SHORTEN NOTICE WITH RESPECT TO THE MOTION FOR AN
ORDER PURSUANT TO SECTION 107(b) OF THE BANKRUPTCY CODE, RULE 9018
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, AND LOCAL RULE
9018-1(b) AUTHORIZING THE OFFICIAL COMMITTEE OF ASBESTOS PERSONAL
INJURY CLAIMANTS, AND DIRECTING THE CLERK OF THE COURT, TO FILE
UNDER SEAL THREE EXHIBITS OF THE OPPOSITION AND JOINDER OF THE
OFFICIAL COMMITTEE OF ASBESTOS PERSONAL INJURY CLAIMANTS TO W.R.
GRACE & CO.'S MOTION TO QUASH 30(b)(6) DEPOSITION NOTICE AND FOR A
PROTECTIVE ORDER**

The Official Committee of Asbestos Personal Injury Claimants (the "ACC"), by and through the undersigned counsel, pursuant to Del. Bankr. LR 9006-1(e), Rule 9006(c) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Sections 102 and 105 of Title 11 of the United States Code, hereby move this Court (the "Motion") for the entry of an order shortening the notice period with respect to the "Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code, Rule 9018 of the Federal Rules of Bankruptcy Procedure, Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Local Rule 9018-1(b) Authorizing the Official Committee of Asbestos Personal Injury Claimants, and Directing the Clerk of the Court, to File Under Seal Three Exhibits of the Opposition and Joinder of the Official Committee of Asbestos Personal Injury Claimants to W.R. Grace & Co.'s Motion to Quash 30(b)(6) Deposition Notice and for a Protective Order" (the "Motion to Seal"), and for leave from this Court's Amended Order Scheduling Omnibus Hearing Dates for 2007 [D.I. 14068] (the "Scheduling Order") to allow the Motion to Seal to be heard, if necessary, during the January 23, 2007 omnibus hearing. In support of the Motion, the ACC respectfully represent as follows:

1. Rule 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware provides that “[n]o motion will be scheduled on less notice than required by these Rules or the Fed.R.Bankr.P. except by Order of the Court, on written motion (served on all interested parties) specifying the exigencies justifying shortened notice.” In addition, Bankruptcy Rule 9006(c) provides that when an act is required to be done within a specified period of time by the Bankruptcy Rules “the court for cause shown may in its discretion with or without motion or notice order the period reduced.”

2. W.R. Grace & Co.’s Motion to Quash 30(b)(6) Deposition Notice and for a Protective Order [D.I. 14044] (the “Motion to Quash”), as well as the Opposition and Joinder of the Official Committee of Asbestos Personal Injury Claimants to W.R. Grace & Co.’s Motion to Quash 30(b)(6) Deposition Notice and for a Protective Order (the “Opposition”) are scheduled to be heard at the omnibus hearing on January 23, 2007. The Motion to Seal, which is directed to three exhibits attached to the Opposition, should be heard at the same hearing.

3. In this case, exigencies exist which justify shortened notice and for leave of the Scheduling Order to enable the ACC to have the Motion to Seal to be heard on January 23, 2007. The ACC also respectfully requests that the Court establish January 11, 2007 at 4:00 p.m. as the deadline to object to the Motion to Seal. Granting the relief requested herein will allow the Motion to Quash, as well as the Opposition, to be heard at the January 23, 2007 hearing and will allow this discovery at issue in the Motion to Quash, related to the asbestos personal injury estimation hearing, to move forward on a timely basis.

4. Notice of this Motion has been provided to: (a) Office of the United States Trustee; (b) counsel to each of the Official Committees and Futures Representative; (c) the Debtors; and (c) all parties who have requested notice pursuant to Bankruptcy Rule 2002.

Counsel for the ACC submits that, in light of the nature of the relief requested, that the limited notice described above is appropriate, as is leave from the Scheduling Order.

WHEREFORE, the Official Committee of Asbestos Personal Injury Claimants respectfully requests the entry of an Order (i) shortening the notice period as set forth herein; (ii) granting the Official Committee of Asbestos Personal Injury Claimants leave from the Scheduling Order; and (iii) establishing the objection deadline on the Motion to Seal as January 11, 2007 at 4:00 p.m.

Dated: January 5, 2007

CAMPBELL & LEVINE, LLC

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The Motion to Seal is hereby scheduled to be heard at the January 23, 2007 hearing.

Any objections to the Motion to Seal must be filed and served so as to be received by January 11, 2007 at 4:00 p.m.

SO ORDERED this 9th day of January 2007

Judith K. Fitzgerald

The Honorable Judith K. Fitzgerald
United States Bankruptcy Judge *JCF*